

**Opening Statement of the Honorable Fred Upton  
Subcommittee on Environment and the Economy  
Markup of “H.R. \_\_\_, TSCA Modernization Act of 2015”  
May 14, 2015**

*(As Prepared for Delivery)*

Today is an important milestone in our multi-Congress, multi-year effort to modernize our nation's chemical safety law for the 21st century. This subcommittee has also accomplished a lot working together since the hearing on the original draft of this bill.

The bill before us today is a model of how we can roll up our sleeves and write bipartisan legislation that is good for human health and the environment and good for the economy. This bill will give a mom in Kalamazoo confidence that the products she buys with American-made chemicals are safe for her family. And it will provide a clear regulatory roadmap, giving the auto industry in Michigan and other manufacturers across the country the certainty they need to continue to grow our economy and create jobs.

This draft continues to focus on the essential elements of TSCA reform while incorporating some refinements to the original draft. The heart of the bill is how it deals with chemicals that are already on the market. It requires evaluation of both hazard and exposure for a chemical substance, before EPA starts regulating.

If EPA determines that a chemical needs regulation, it must consider economic consequences of the rule, including effects on the economy, small business, innovation, cost effectiveness, and availability of substitutes, before it settles on a regulation. It must also provide a reasonable transition rule.

The bipartisan bill continues to strike a fair balance between facilitating interstate and international commerce and the role of the states in protecting both human health and the environment and its citizens' rights to seek private remedies under tort and contract law.

It also improves upon protection of confidential business information, which is so vital to innovation and economic growth. At the same time it allows access to information to state officials and health care professionals who need it.

EPA's Assistant Administrator Jim Jones was helpful at our legislative hearing, providing both encouragement and constructive suggestions. Many of his suggestions appear in the draft before us. We also appreciate the technical assistance that EPA has given us along the way.

While the bill is a little longer than it was in April, it is still clear and workable for the agency that must administer it, for the industry that must live with it, and for the public at large.

Mr. Chairman, this is a bill we can all be proud of, and I look forward to further milestones - moving it through committee and ultimately to the president's desk. After nearly four decades on the books, we are making the improvements necessary to bring TSCA into the 21st century and beyond.

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